

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE**

**CLAUDE L. GLASS,**  
Plaintiff,

v.

**STATE OF TENNESSEE, et al.,**  
Defendants.

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**No. 3:10-CV-72  
(Phillips/Guyton)**

**MEMORANDUM AND ORDER**

On May 9, 2011, the Honorable H. Bruce Guyton, United States Magistrate Judge, filed an 8-page Report and Recommendation (R&R) [Doc. 53] in which he recommended that defendant Ridgebrook Apartment, Karen Whitaker and Laura Canedy's motion for attorney fees be granted in the amount of \$3,888.00.

This matter is presently before the court on plaintiff's objections to the R&R [Doc. 54]. As required by 28 U.S.C. § 636(b)(1), the court has now undertaken a *de novo* review of plaintiff's objections to the magistrate judge's order and finds the objections without merit. After a review of the pleadings in this case, the court finds itself in agreement with Magistrate Judge Guyton that defendants are entitled to attorney fees under 42 U.S.C. § 1988 which they incurred in defending the complaint filed by plaintiff against them. Plaintiff's complaint failed to state any legally cognizable claim under the

Constitution or under 42 U.S.C. § 1983, or any other federal statute, and was frivolous, unreasonable and without foundation. Accordingly, the court agrees that defendants are entitled to an award of attorney fees under § 1988.

For the foregoing reasons, as well as the reasons articulated by Magistrate Judge Guyton in his R&R, plaintiff's objections to the R&R [Doc. 54] are hereby **OVERRULED** in their entirety whereby the R&R [Doc. 53] is **ACCEPTED IN WHOLE**. Accordingly, defendants Ridgebrook Apartments, Karen Whitaker and Laura Canedy are hereby **AWARDED** attorney fees from plaintiff in the amount of \$3,888.00.

**IT IS SO ORDERED.**

**ENTER:**

s/ Thomas W. Phillips  
United States District Judge